APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,979	09/19/2003	Peter Surma	34874-062 UTIL	5371

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EXAMINER
HOANG, HIEU T

ART UNIT	PAPER NUMBER
2452	

MAIL DATE	DELIVERY MODE
04/08/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/665,979	SURMA ET AL.
	Examiner	**Art Unit**	
	HIEU T. HOANG	2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 February 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the amendment filed on 02/10/2009.

2.   Claims 1-10 are pending.

Response to Arguments

3.   Applicant's arguments have been fully considered but found moot in view of new

ground(s) of rejection.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
>
> claiming the subject matter which the applicant regards as his invention.

5.   Claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

6.   For claim 2, "an adapter" in the last limitation is vague for having no functional

relationship with previously recited "an adapter of the receiving application".

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set

forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-3, 6, 7, 9, 10 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Eisenhauer et al. (Native Data Representation: an Efficient Wire

Format for High Performance Computing, hereafter Eisenhauer), in view of Humpleman

et al. (US 7,043,532, hereafter Humpleman)

9.   For claim 2, Eisenhauer discloses in an application integration system that

communicates messages between applications, a computer-implemented method for

transmitting electronic messages that preserves a message format native to both a

sending application and at least one receiving application, the method comprising:

        receiving a message from the sending application, the message having a

message format used by the sending application (3.1.1 lines 1-4, sending message

with a format); the sending and receiving applications using an application integration

system configured to communicate messages between applications (fig. 3, 4, sending

and receiving applications communicate using messages via an integration system);

        wherein when the sending and receiving application have different message

formats, converting at the application integration system, the message from the

message format of the received message to another message format (p. 2, par. 4, lines

12-13, when sender and receiver use different data presentation, formatting is done)

the application integration system comprising a routing module to determine the

receiving application and a mapping module to determine the message format of the

receiving application (p. 2, par. 4, software modules for determining whether sender and

receiver use same data presentation formats or not, 3.2.2, format servers and format

cache for storing and retrieving application message formats);

wherein the routing module and the mapping module are polled by the receiving

application to determine the receiving application and the message format of the

receiving application (3.2.2, format servers and format cache for storing and retrieving

sending and receiving application formats);

Eisenhauer does not explicitly disclose:

wrapping, without converting at the application integration system, the message

in an envelope, the wrapping is performed when the sending and receiving applications

have the same message format; and   routing the envelope, including the wrapped

message, through the application integration system without converting the message in

the envelope to the other message format, when the sending and receiving applications

have the same message format;   unwrapping, at an adapter of the receiving

application, the message from the envelope when the sending and receiving application

have the same message format; and transmitting, at an adapter of the receiving

application, the unwrapped message according to the message format to the receiving

application when the sending and receiving applications have the same message

format. The wrapped message is routed through the application integration system without the application integration system mapping and converting the wrapped message to another message format.

However, in the same field of endeavor, Humpleman discloses:

wrapping, without converting at the application integration system, the message in an envelope (col. 25 lines 45-54, wrapping data in an XML package), the wrapping is performed when the sending and receiving applications have the same message format (col. 27 lines 19-27, col. 25 lines 44-54, translation or converting is done when sender and receiver use different formats, suggesting that no converting at the sending application is necessary when same formats are used); and

routing the envelope, including the wrapped message, through the application integration system without converting the message in the envelope to the other message format, when the sending and receiving applications have the same message format (col. 25 lines 45-47, transmitting the wrapped message over the network to the receiving application);

unwrapping, at an adapter of the receiving application, the message from the envelope when the sending and receiving application have the same message format; and transmitting, at an adapter of the receiving application, the unwrapped message according to the message format to the receiving application when the sending and receiving applications have the same message format (col. 26 lines 7-9, removing XML wrapper and delivering the native data to the receiving application).

the wrapped message is routed through the application integration system without the application integration system mapping and converting the wrapped message to another message format (col. 25, l. 44-54, wrapping data in XML wrapper without translating).

It would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Eisenhawer and Humpleman to wrap a data message without converting it to another format when sender and receiver use a same data format to reduce overhead created by unnecessary conversion.

Eisenhauer-Humpleman does not explicitly disclose:

the polling is done by the sending application; and wherein wrapping further comprises an adapter wrapping the message when polling indicates the sending and receiving applications have the same message format.

However, Eisenhauer discloses format caches that store formats of sending and receiving applications that can be polled by applications for determining of application formats (3.2.2). Humpleman discloses that converting is necessary at the sending application when sending and receiving applications use different formats (col. 27 l. 19-27), and wrapping data in XML form without translation (converting) necessary (col. 25 l. 44-54).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to modify the teachings of Eisenhauer and Humpleman and to provide a method for checking for sender and receiver's formats at the sender's side to provide an alternative to "receiver makes it right" method of Eisenhauer for e.g. taking advantage of

sender's computing power such as server and less resourceful small devices as

receivers and also converting data messages to XML only when sender and receiver's

formats are different as suggested by Humpleman to reduce overhead created by

unnecessary conversion.

10.   Claim 1 contains substantially same subject matter recited in claim 1 and is

rejected for the same rationale as in claim 1.

11.   Claim 7 contains substantially same subject matter recited in claim 1 and is

rejected for the same rationale as in claim 1.

12.   For claim 3, Eisenhauer-Humpleman further discloses the message includes one

or more data objects (Humpleman, col. 25 l. 44-54, data in messages)

13.   For claim 6, Eisenhauer-Humpleman further discloses storing a copy of the

message (Eisenhauer, 3.2.2, fig. 3, 4, caches).

14.   For claim 9, Eisenhauer-Humpleman further discloses determining a file format

used by the receiving application further includes retrieving file format data from a

directory (Eisenhauer, 3.2.2, format caches).

15.   For claim 10, Eisenhauer-Humpleman further discloses determining a receiving

application of the message includes retrieving receiving application data from a

directory based on the content of the message (Eisenhauer, 3.2.2, format caches).

16.   Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Eisenhauer-Humpleman, in view of Erickson et al. (US 6,851,089, hereafter Erickson),

17.   For claim 4, Eisenhauer-Humpleman does not disclose unwrapping the message
from the markup language file envelope includes deserializing the one or more data
objects. However, Erickson discloses unwrapping the message from the markup
language file envelope includes deserializing the one or more data objects (Erickson,
col. 25 line 57-col. 26 line 15, serialization reproduction). It would have been obvious for
one skilled in the art at the time of the invention to deserialize data objects from XML file
envelope to provide a mechanism for storing and retrieving a wrapper for subsequent
use by using wrapper serialization (Erickson, abstract)

18.   For claim 8, the claim is rejected as in claim 4. Eisenhauer-Humpleman-Erickson
further discloses the markup language file envelope defines an XML envelope having as
a payload one or more serialized data objects of the message (Erickson, col. 25 line 57-
col. 26 line 15, XML serialized message wrapper).

19.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Eisenhauer-Humpleman, further in view of Schroeder et al. (US 2002/0099735,
hereafter Schroeder)

20.   For claim 5, Eisenhauer-Humpleman does not disclose the message format is an

Idoc message format. However, Schroeder discloses an Idoc message format

(Schroeder, fig. 7a, Idoc message format). It would have been obvious for one skilled in

the art at the time of the invention to use Idoc as taught by Schroeder as a native data

format to introduce Idoc as a standard for common format integration system.

Conclusion

21.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure and is disclosed in form PTO 892.

22.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

23.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-

1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m.,

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HH

/Kenny S Lin/

Primary Examiner, Art Unit 2452